



8 September 2023

To: The Legal Practice Council
By e-mail

Request for the Legal Practice Council to condemn the arrest of human rights lawyers in Zimbabwe

Freedom Under Law is gravely concerned at reports of the recent arrest of Zimbabwean Lawyers Tapiwa Muchineripi and Douglas Coltart. According to reports in the public domain, the two lawyers were arrested at a hospital and charged with obstructing the course of justice while representing members of the official opposition party in Zimbabwe, who had been abducted and tortured and were receiving medical care. The lawyers are currently released on bail.

This is an unconscionable violation of international standards. Article 7 of the United Nations Human Rights Council resolution 44/8 of 14 July 2020 emphasises “that lawyers should be enabled to discharge their functions freely, independently and without any fear of reprisal.” Article 9 of the same resolution provides that states are under a duty to uphold the integrity of lawyers and to protect them “against all forms of violence, threat, retaliation, intimidation and harassment, whether from State authorities or non-State actors, resulting from the discharging of their functions”.

We call on the LPC to issue a public expression of concern about this incident. As the voice of the organised legal profession in South Africa and therefore a significant actor in the SADC region, the LPC’s position will carry weight. It is all the more important for the LPC to speak out as the circumstances prevailing in Zimbabwe make it extremely difficult for the organised profession in that country to take a stand.

We note that the Johannesburg Society of Advocates has already issued a statement condemning the “arrest, detention, intimidation and harassment” of the lawyers. We urge the LPC to follow suit by issuing a similarly strong condemnation and to take all other steps available to convey its displeasure to the South African and Zimbabwean authorities.

We look forward to hearing from you.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'Judith February', written in a cursive style.

JUDITH FEBRUARY
EXECUTIVE OFFICER: FREEDOM UNDER LAW